

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AIR PRODUCTS LLC,

Plaintiff,

vs.

CIECH, S.A.,

Defendant.

Case No. 5:12-cv-6953-JKG

**ORAL ARGUMENT
REQUESTED**

**DEFENDANT CIECH, S.A.'S MOTION TO DISMISS
THE SECOND AMENDED COMPLAINT**

Defendant Ciech, S.A. respectfully moves for dismissal of Plaintiff Air Products LLC's Second Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(7) and the doctrine of *forum non conveniens*. The reasons for the motion are set forth more fully in the accompanying Memorandum of Law and Declarations of Jonathan E. Paikin and Artur Osuchowski.

Ciech respectfully requests the opportunity to be heard on this motion and that the Court set a date for oral argument.

April 22, 2013

Respectfully submitted,

WILMER, CUTLER, PICKERING,
HALE and DORR LLP

/s/ David Ogden

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ORDER

NOW, this _____ day of _____, 2013, upon consideration of Defendant's Motion to Dismiss, filed April 22, 2013, and upon consideration of the briefs of the parties,

IT IS ORDERED that the motion is granted.

James Knoll Gardner
United States District Judge